

forfeited. Five to four, that was how a man's life was taken. Five to four from the U.S. Supreme Court. Because of the uncertainty and ambivalence we have the opportunity to see that a murderer is punished to the nth degree by thirty years in the penitentiary. The state can have its pound of flesh, the state can be taken out of the killing business and the state need not do those barbaric things that can only degrade the human spirit....

PRESIDENT: You have one minute Senator.

SENATOR CHAMBERS: .and diminish the value placed on human lives. Before the discussion is over I want to give you some information that I thought was in the record but wasn't about the executions which occurred, how they occurred, and some that should not have, but I will just give you one example of the lengths that those who execute people are pushed to. In San Quentin, in spite of the efforts to keep a man from getting the means to kill himself he had gotten a piece of glass and cut his throat. If they would have tried to get him to the hospital he would have died. So what did they do? They hastened him into the gas chamber, strapped him into the chair, dropped the cyanide into the sulfuric acid, and here is a man being gassed to death with great gouts of blood issuing from his throat and this is the way that America shows the world that it honors life? I think that you ought to adopt Senator Simon's amendment.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature and if the legislative body would look at the amendment that Senator Simon had offered on 1432, I would like to slip in a word that on 1333 and 34, I had an amendment that I believe would probably be ruled out of order in which I think legitimately should be done. His amendment deals with good time and parole and he has to admit that the possibility of a pardon in a number of years, or reduction in sentencing still is a fact. It could still be done. The amendment that I was going to offer was with the same subject matter only it was to submit it to the voters and the people in the State of Nebraska and let them decide if the Legislature should do this, eliminating the problem of the pardon board. This can still be done through a resolution which I will introduce and probably will introduce within a day or two. There is no way to guarantee and Senator Simon has to admit it that a person will serve a minimum of 30 years for first degree murder. Since our Constitution is set up that will allow the pardon board to reduce that sentence if they see fit. What you could do is try to realize that my amendment for a constitutional amendment will be setting in the background in the form of a resolution and make a decision probably based on that. Knowing that what the Attorney General has told Senator Simon is true, is true as far as the good time laws are concerned and as far as the time reduction is concerned, we could do that. But, we can not eliminate the Constitution and the power that is given to the Pardon Board. They have the power to grant respites, reprieves, pardons or commutations in all cases. The Constitutional amendment that I would offer or would like to have offered would have said except in first degree murder. I am going to offer that in the form of a resolution and I think that the Chair and I think that the Clerk are both proper in saying that my amendment, the way that I had it drafted was out of order, and I believe that it would have been out of order. But, I promise you that I will be back with a resolution asking for a constitutional amendment to do the same thing that I have on page 1333 and 1334 in the Journal.